UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,405	11/24/2003	Thorsten Gill	RBL0106	4109

832 7590 10/05/2007	EXAMINER
BAKER & DANIELS LLP 111 E. WAYNE STREET SUITE 800 FORT WAYNE, IN 46802	DUONG, THOMAS

ART UNIT	PAPER NUMBER
2145	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/720,405	GILL ET AL.
	Examiner	**Art Unit**	
	Thomas Duong	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 July 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20070928

DETAILED ACTION

Response to Amendment

1. This office action is in response to the Applicants' After Non-Final Amendment filed on July 12, 2007. Applicant amended *claims 1-19*. *Claims 1-19* are presented for further consideration and examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. <u>Claims 1-3 and 14-19</u> are rejected under 35 U.S.C. 103(a) as being unpatentable over Koskelainen (US006885861B2) and in view of Plank et al. (US005978566A).

4. With regard to <u>claims 1, 14, and 18</u>, Koskelainen discloses,

- *providing a mobile terminal having a generic e-mail configuration, the e-mail configuration including at least one default POP3/SMTP server address,* (Koskelainen, col.1, line 6 – col.12, line 35)

  Koskelainen discloses, *"However, in some circumstances, such as the SIP event notification scheme described above, certain information generated by the mobile terminal (e.g., To, From and Call-ID header information and Event name from SUBSCRIBE messages) must be maintained in the user terminal rather than in*

the server(s) providing the subscription service or some other network element. If

this information is not available to a user terminal, then the user terminal cannot

filter incoming NOTIFY messages and prevent against spamming, etc. In addition

to knowledge about ongoing communication services, there may also be other

information, such as numerous parameters and/or settings, needed by the user

terminal to receive those communication services. The parameters and/or

settings may include for instance communication networks parameters, such as

General Packet Radio Service (GPRS) parameters or Universal Mobile

Telecommunication System (UMTS) parameters, Wireless Application Protocol

(WAP) parameters comprising a WAP Gateway address a Uniform Resource

Locator (URL) for setup, a home page and favorites, World Wide Web (WWW)

parameters comprising a Hyper Text Transfer Protocol (HTTP) proxy address,

SMTP/POP3 addresses, public keys, Ipv4, Ipv6, and a Default Classmark for

multi-classmark devices. There may also be general information, such as

network subscription and authorization information or calling plan information or

lists of telephone numbers, stored in the user terminal and which is desired to be

available to the user to enable or facilitate communications" (Koskelainen, col.2,

line 59 – col.3, line 19). Hence, Koskelainen teaches the mobile terminal (i.e.,

Applicants' mobile terminal) containing (i.e., Applicants' having) parameters

and/or settings (i.e., Applicants' generic e-mail configuration) including

communication networks parameters such as SMTP/POP3 addresses (i.e.,

Applicants' POP3/SMTP address).

- *setting up a connection to a proxy server identified by the default POP3/SMTP*

  server address via the mobile communication network using a standard

  POP3/SMTP protocol, (Koskelainen, col.1, line 6 – col.12, line 35)

  Koskelainen discloses, *"The Serving Call Session Control Function (S-CSCF)*

  101 provides call control, session control and service control for mobile terminals.

  When a mobile terminal is visiting a network other than its home network, the

  visited network preferably utilizes a Proxy Call Session Control Function (P-

  CSCF) that enables the session control to be passed to the home network based

  S-CSCF providing service control for the mobile terminal" (Koskelainen, col.1,

  line 61 – col.2, line 1). Hence, Koskelainen teaches the mobile terminal (i.e.,

  Applicants' mobile terminal) enabling (i.e., Applicants' setting up) session control

  (i.e., Applicants' connection) utilizing a Proxy Call Session Control Function

  directed to the proxy server (i.e., Applicants' proxy server) of the home network

  providing service control for the mobile terminal.

- *in the proxy server:*

  - *evaluating a user identification based on specific information assigned to the*

    user or the mobile terminal, (Koskelainen, col.1, line 6 – col.12, line 35)

    Koskelainen discloses, *"In general, a user terminal must provide some*

    identification to a network in order to gain access and receive communication

    services. The identification may be anything that uniquely identifies the user,

    such as a SIM card or telephone number. Once authorized and granted

    access to the network, the user may arrange for a plurality of different

    communication services. Each individual one of these communications

    services may be provided by an application server located in the wireless

communication network or an applications server located in other networks or

on the Internet and delivered through the wireless communication network"

(Koskelainen, col.5, line 64 – col.6, line 8). Hence, Koskelainen teaches the

user terminal (i.e., Applicants' mobile terminal) providing identification (i.e.,

user identification) that uniquely identifies the user such as a SIM card or

telephone number (i.e., Applicants' specific information assigned to the user

or mobile terminal), in order to be authorized and granted access (i.e.,

Applicants' evaluated) by the network.

- *based on said user identification, identifying an e-mail account assigned to*

  the user identification and provided by an e-mail system,

- *obtaining access parameters for accessing the identified e-mail account, and*

- *setting up a connection between the user's mobile terminal and the identified*

  e-mail account of the e-mail system.

However, Koskelainen does not explicitly disclose,

- *based on said user identification, identifying an e-mail account assigned to*

  the user identification and provided by an e-mail system,

- *obtaining access parameters for accessing the identified e-mail account, and*

- *setting up a connection between the user's mobile terminal and the identified*

  e-mail account of the e-mail system.

Plank teaches,

- *based on said user identification, identifying an e-mail account assigned to*

  the user identification and provided by an e-mail system, (Plank, col.1, line 5

  – col.14, line 58)

Plank discloses, *"One factor complicating this scheme is that a single end-user may log in to a server through two or more different clients, either concurrently or, more commonly, at different times. For example, a single end-user may log in to the server from the office using a workstation (first client) and/or from home using a laptop computer (second client). Each separate client login provides independent access to the end-user's mailbox"* (Plank, col.7, lines 10-17). Hence, Plank teaches of the end-user (i.e., Applicants' user) accessing the end-user's mailbox (i.e., Applicants' e-mail account) based on the end-user's log in credentials.

- *obtaining access parameters for accessing the identified e-mail account, and* (Plank, col.1, line 5 – col.14, line 58)

Plank discloses, *"The characteristics of each separate client login will be determined by the particular MAPI (messaging application program interface) profile under which the end-user is operating. A MAPI profile defines the e-mail environment under which a particular client operates. To account for varying client configurations, an end-user employing a laptop-client to log in to an e-mail server likely will use a different MAPI profile, and thus a different environment, than when that same end-user uses a workstation-client to log in to the server. For example, the workstation-client is likely to have a permanent connection to any network whereas a laptop-client, being portable in nature, most likely will not be connected to any network except when the end-user plugs the laptop into a communications medium (e.g., telephone line). Accordingly, the laptop-client's profile should take that fact into consideration, for example, by allowing the transmission of messages from*

the laptop-client only when it is connected to a communications medium" (Plank, col.7, lines 18-35). Hence, Plank teaches of the end-user (i.e., Applicants' user) accessing the end-user's mailbox (i.e., Applicants' e-mail account) based on the end-user's log in credentials and MAPI profile (i.e., Applicants' access parameters).

- *setting up a connection between the user's mobile terminal and the identified e-mail account of the e-mail system.* (Plank, col.1, line 5 – col.14, line 58) Plank discloses, *"The characteristics of each separate client login will be determined by the particular MAPI (messaging application program interface) profile under which the end-user is operating. A MAPI profile defines the e-mail environment under which a particular client operates. To account for varying client configurations, an end-user employing a laptop-client to log in to an e-mail server likely will use a different MAPI profile, and thus a different environment, than when that same end-user uses a workstation-client to log in to the server. For example, the workstation-client is likely to have a permanent connection to any network whereas a laptop-client, being portable in nature, most likely will not be connected to any network except when the end-user plugs the laptop into a communications medium (e.g., telephone line). Accordingly, the laptop-client's profile should take that fact into consideration, for example, by allowing the transmission of messages from the laptop-client only when it is connected to a communications medium"* (Plank, col.7, lines 0-17). Hence, Plank teaches of the end-user (i.e., Applicants' user) accessing the end-user's mailbox (i.e., Applicants' e-mail account) via various network connections.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Plank with the teachings of

Koskelainen to provide *"in a server based electronic messaging system with user-*

definable rules, the actions specified in triggered rules whose conditions are satisfied

are executed either on the server or the client depending on the type of action. The

action is performed at the server if all resources for performing the action are

resident on the server. If one or more of the resources for performing the action are

resident on the client, a deferred action message describing the actions to be

executed by the client is generated and placed in a dedicated storage location on the

server. The deferred action message is processed by the client either immediately

following its creation and storage if the client is logged in to the server at that time or

when the client next logs in to the server. The action may be performed at the client

based on the content of the deferred action message" (Plank, col.2, lines 25-40).

According to Plank, *"What is needed are tools and techniques that allow automated*

rules for handling e-mail messages in a server-based system to be processed in a

seamless and efficient manner over multiple client types for a given user" (Plank,

col.2, lines 19-22).

5.   With regard to *claims 2-3*, Koskelainen and Plank disclose,

  • *characterized in that such method also supports IMAP4 protocol and any Internet*

     markup language front end when connected via a mobile communication system.

     (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58)

- *wherein the specific information comprises an IP-address temporarily assigned to the user's MSISDN.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58)

6.   With regard to *claims 15-17,* Koskelainen and Plank disclose,

- *wherein the server is part of the e-mail system.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58)

- *wherein the server is part of the mobile communication network.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58)

- *wherein the server is a standalone system.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58)

7.   With regard to *claim 19,* Koskelainen and Plank disclose,

- *wherein the e-mail configuration includes a default user name UN and password PW.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58)

8.   *Claims 4-5 and 8-11* are rejected under 35 U.S.C. 103(a) as being unpatentable over Koskelainen (US006885861B2), in view of Plank et al. (US005978566A), and further in view of Ergezinger et al. (US 20040139204A1).

9.   With regard to *claims 4-5,* Koskelainen and Plank disclose,

See *claim 1* rejection as detailed above.

However, Koskelainen and Plank do not explicitly disclose,

- *wherein the user identification comprises an international mobile subscriber number MSISDN.*

- *wherein the user identification comprises an individual identification number.*

Ergezinger teaches,

- *wherein the user identification comprises an international mobile subscriber number MSISDN.* (Ergezinger, para.1-118)

- *wherein the user identification comprises an individual identification number.* (Ergezinger, para.1-118)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ergezinger with the teachings of Koskelainen and Plank to provide *"in a server based electronic messaging system with user-definable rules, the actions specified in triggered rules whose conditions are satisfied are executed either on the server or the client depending on the type of action. The action is performed at the server if all resources for performing the action are resident on the server. If one or more of the resources for performing the action are resident on the client, a deferred action message describing the actions to be executed by the client is generated and placed in a dedicated storage location on the server. The deferred action message is processed by the client either immediately following its creation and storage if the client is logged in to the server at that time or when the client next logs in to the server. The action may be performed at the client based on the content of the deferred action message"* (Plank, col.2, lines 25-40). According to Plank, *"What is needed are tools and techniques that allow automated rules for handling e-mail messages in a server-based system to be processed in a seamless and efficient manner over multiple client types for a given user"* (Plank,

col.2, lines 19-22). Ergezinger discloses, *"The invention relates to a system for and*

a method of providing services through a wide area network, in particular the

Internet, to user terminals. The invention relates especially, but is not limited to,

providing such services to mobile terminals gaining access to the network through a

telecom access provider" (Ergezinger, para.1).

10.   With regard to <u>*claims 8-11*</u>, Koskelainen, Plank, and Ergezinger disclose,

- *wherein the step of setting up a connection to the e-mail account comprises the*

  step of transmitting the e-mail address, the user name UN and the password PW

  to the e-mail system. (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1,

  line 5 – col.14, line 58; Ergezinger, para.1-118)

- *wherein an identification and authentication of the user is provided by the*

  authentication procedures of the mobile communication network. (Koskelainen,

  col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58; Ergezinger,

  para.1-118)

- *wherein upon identification of a specific e-mail account via UN/PW, the server*

  transparently transmits the message to the addressed e-mail system/account.

  (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58;

  Ergezinger, para.1-118)

- *wherein on the first access request of a user identification unknown to the server,*

  the server automatically creates a new e-mail account for said user identification.

  (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58;

  Ergezinger, para.1-118)

11.   *Claims 6-7 and 12-13* are rejected under 35 U.S.C. 103(a) as being unpatentable over

Koskelainen (US006885861B2), in view of Plank et al. (US005978566A), and further in

view of Ergezinger et al. (US 20040139204A1).

12.   With regard to *claim 12,* Koskelainen and Plank disclose,

See *claim 1* rejection as detailed above.

However, Koskelainen and Plank do not explicitly disclose,

- *wherein the user identification comprises an international mobile subscriber*
  number MSISDN.

Lebouill teaches,

- *wherein the user identification comprises an international mobile subscriber*
  number MSISDN. (Lebouill, col.1, line 5 – col.16, line 62)

Lebouill discloses, "This interface allows a subscriber to manage his e-mail

accounts himself by means of a number of standard actions which are available

to subscribers. Account registration consists of registering the accounts on a

centralised database system (the IAMS RDBMS) and duplicating them to the

mail servers. Standard actions are : Create, modify or delete an e-mail account,

List the existing mail accounts related to a subscriber (based on his SmartCard

number)" (Lebouill, col.10, lines 30-39).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Lebouill with the teachings of

Koskelainen and Plank to provide *"in a server based electronic messaging system*

with user-definable rules, the actions specified in triggered rules whose conditions

are satisfied are executed either on the server or the client depending on the type of

action. The action is performed at the server if all resources for performing the action are resident on the server. If one or more of the resources for performing the action are resident on the client, a deferred action message describing the actions to be executed by the client is generated and placed in a dedicated storage location on the server. The deferred action message is processed by the client either immediately following its creation and storage if the client is logged in to the server at that time or when the client next logs in to the server. The action may be performed at the client based on the content of the deferred action message" (Plank, col.2, lines 25-40). According to Plank, *"What is needed are tools and techniques that allow automated rules for handling e-mail messages in a server-based system to be processed in a seamless and efficient manner over multiple client types for a given user"* (Plank, col.2, lines 19-22). Lebouill discloses, *"provided a subscriber information management system for use with a broadcast system, comprising means (for example, a memory or a server) for storing subscriber internet parameters relating to access to internet services by a subscriber and means (for example, a memory or a server) for storing subscriber broadcast parameters relating to access to broadcast services by the subscriber, wherein said internet and broadcast parameters are linked by the subscriber information management system"* (Lebouill, col.1, lines 28-37).

13.   With regard to *claims 6-7 and 13*, Koskelainen, Plank, and Ergezinger disclose,

- *wherein the user identification comprises an individual identification number.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58; Lebouill, col.1, line 5 – col.16, line 62)

- *wherein the step of evaluating the user identification comprises the step of interrogating a database based on the specific information. (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58; Lebouill, col.1, line 5 – col.16, line 62)*

- *wherein the user identification comprises an individual identification number.* (Koskelainen, col.1, line 6 – col.12, line 35; Plank, col.1, line 5 – col.14, line 58; Lebouill, col.1, line 5 – col.16, line 62)

Response to Arguments

14.   Applicant's arguments with respect to *claims 1-19* have been considered but are moot in view of the new ground(s) of rejection.
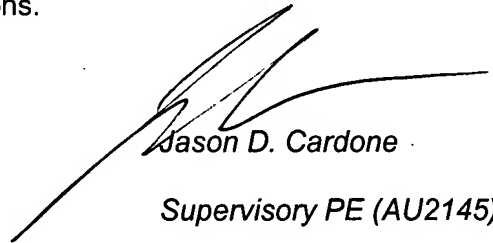
Conclusion

15.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

October 1, 2007

Jason D. Cardone

Supervisory PE (AU2145)